

#3
7/22/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Naegeli, et al.

Attorney Docket No.: CISC085/799

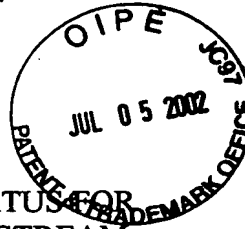
Application No.: 09/325,534

Examiner: KUMAR, PANKAJ

Filed: June 3, 1999

Group: 2631

Title: METHOD AND APPARATUS FOR
MEASURING QUALITY OF UPSTREAM
SIGNAL TRANSMISSION OF A CABLE
MODEM



RECEIVED

JUL 1 1 2002

Technology Center 2600

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail to: Commissioner for Patents, Washington, DC 20231 on June 26, 2002.

Signed:

Joyce L. Ferreira

**INFORMATION DISCLOSURE STATEMENT
BEFORE FINAL ACTION OR NOTICE OF ALLOWANCE
(37 CFR §§ 1.56 AND 1.97(c))**

Commissioner for Patents
Washington, DC 20231

Dear Sir:

The references listed in the attached PTO Form 1449, a copy of which is attached, may be material to examination of the above-identified patent application. Applicants submit this reference in compliance with their duty of disclosure pursuant to 37 CFR §§1.56 and 1.97. The Examiner is requested to make this citation of official record in this application.

This Information Disclosure Statement is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that this reference indeed constitutes prior art.

This Information Disclosure Statement is being filed after the mailing date of the first Office Action on the merits, or after three months of the filing date of this application, whichever event occurred last, but it is believed before the mailing date of either: (i) a final action under §1.113 or (ii) a notice of allowance under §1.311, whichever occurs first.

Accompanying this Information Disclosure Statement is

☐ a statement as specified in 37 CFR 1.97(e); or

☒ the fee set forth in 37 CFR 1.17(p).

[37 CFR § 1.97(e) Statement, if relied upon]

The undersigned hereby states:

☐ that each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application no more than three months prior to the filing of the Information Disclosure Statement; or

☐ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

If fees are due, enclosed is our Check No. 5860 for \$180.00 in payment of the Information Disclosure Statement Fee. If it is determined that any additional fees are due, the Commissioner is hereby authorized to charge such fees to Deposit Account 500388 (Order No. CISCP085).

Respectfully submitted,

BEYER WEAVER & THOMAS, LLP

,- 幡 晴 夫

Haruo Yawata

Limited Recognition under 37 CFR §10.9(b)

P.O. Box 778
Berkeley, CA 94704-0778
(510) 843-6200